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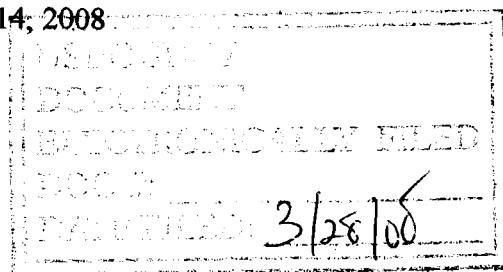
STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO  
ATTORNEY GENERAL

CRIMINAL DIVISION  
FEDERAL HABEAS CORPUS SECTION

# MEMO ENDORSED

March 14, 2008



**VIA FACSIMILE AND U.S. MAIL**

Honorable Debra Freeman  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 525  
New York, NY 10007

Re: Pedro Cruz v. Robert Ercole,  
07 Civ. 9868 (RJH)(DF)

Your Honor:

I am an Assistant Attorney General in the office of Andrew M. Cuomo, Attorney General of the State of New York, attorney for respondent in the above-referenced habeas corpus proceeding. I respectfully request an extension of time to respond to the petition for a writ of habeas corpus from March 24, 2008 to May 23, 2008.

In Your Honor's Order dated January 23, 2008, you ordered that my office file its response by March 24, 2008. Although a copy of the record in this case has been made available, our office has not yet received the transcripts. I am respectfully requesting an extension of time so that I may obtain and review the transcripts and prepare a thorough response to the petition. Although I am requesting an extension to May 23, 2008, I will make every effort to file my response before that time. This is my first request for an extension.

I thank the Court for its consideration to this matter.

*The requested extension is granted. Petition shall serve and file reply papers, if any, no later than June 23, 2008.*

SO ORDERED: DATE: 3/20/08

Respectfully submitted,  
  
 Priscilla Steward  
 Assistant Attorney General  
 Federal Habeas Corpus Section  
 (212) 416-8737

*Debra Freeman*  
 DEBRA FREEMAN  
 UNITED STATES MAGISTRATE JUDGE

cc: **Pedro Cruz**  
**05-A-2229**  
**Green Haven Correctional Facility**  
**Stormville, New York 12582**